



March 13, 2015

ENGROSSED SENATE BILL No. 173

DIGEST OF SB 173 (Updated March 11, 2015 3:10 pm - DI 69)

Citations Affected: IC 11-10.

Synopsis: DOC specialized vocational program. Allows the department of correction to establish a specialized vocational program to train minimum security risk inmates in certain trades that are capable of providing inmates with employment paying a sustainable wage.

Effective: July 1, 2015.

**Young R Michael, Becker, Taylor,
Randolph, Rogers, Tallian**

(HOUSE SPONSOR — WASHBURNE)

January 6, 2015, read first time and referred to Committee on Corrections & Criminal Law.
January 14, 2015, amended, reported favorably — Do Pass.
January 20, 2015, read second time, ordered engrossed. Engrossed.
January 27, 2015, read third time, passed. Yeas 49, nays 1.

HOUSE ACTION

March 2, 2015, read first time and referred to Committee on Courts and Criminal Code.
March 12, 2015, amended, reported — Do Pass.

ES 173—LS 6280/DI 106



March 13, 2015

First Regular Session 119th General Assembly (2015)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2014 Regular Session and 2014 Second Regular Technical Session of the General Assembly.

ENGROSSED SENATE BILL No. 173

A BILL FOR AN ACT to amend the Indiana Code concerning corrections.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 11-10-16 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2015]:

4 **Chapter 16. Specialized Vocational Program**

5 **Sec. 1. (a) The department may provide a specialized vocational**
6 **program to train minimum security risk inmates in a trade that is**
7 **capable of providing an inmate with employment paying a**
8 **sustainable wage.**

9 **(b) The specialized vocational program may include, but is not**
10 **limited to, training in:**

- 11 **(1) truck driving;**
12 **(2) manufacturing;**
13 **(3) plumbing;**
14 **(4) heating, ventilation, and air conditioning;**
15 **(5) construction; and**
16 **(6) diesel technology.**

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1 (c) An inmate may participate in a specialized vocational
2 program only if the inmate is eligible to work outside a perimeter
3 fence.

4 Sec. 2. (a) The department may require the following criteria for
5 admission into a specialized vocational program:

6 (1) An inmate with less than twenty-four (24) months until the
7 inmate's expected release date may be given preference for
8 participation in the specialized vocational program.

9 (2) An inmate who has been disciplined for misconduct within
10 the previous year is not eligible for participation in the
11 specialized vocational program.

12 (3) An inmate who presents a security risk is not eligible for
13 participation in the specialized vocational program.

14 (4) An inmate who is under the care of a physician is eligible
15 for participation in the specialized vocational program if the
16 physician determines that the inmate can meaningfully and
17 safely participate in the program.

18 (b) The department may require an inmate to have successfully
19 completed or be currently enrolled in other programs provided by
20 the department, including:

21 (1) a drug addiction and alcoholism treatment program;

22 (2) an employment skills and vocational program;

23 (3) a personal responsibility program;

24 (4) a peer support program;

25 (5) a motivation program;

26 (6) a parenting program; and

27 (7) a program in preparation for a state of Indiana high
28 school equivalency diploma.

29 Sec. 3. (a) The superintendent may appoint a person to direct
30 the specialized vocational program. Each facility that has a
31 specialized vocational program must have a facility manager to
32 direct the program.

33 (b) The director shall do the following:

34 (1) Establish and oversee the day to day operations of the
35 specialized vocational program.

36 (2) Recruit volunteers and businesses to provide instruction
37 and training in:

38 (A) the specialized vocational program; and

39 (B) any related certification program.

40 (3) Provide information requested by the superintendent
41 regarding an inmate or a specialized vocational program.

42 (4) Determine the appropriate number of inmates in each



1 specialized vocational program, considering the availability
2 of:

3 (A) qualified staff; and

4 (B) appropriate facilities and equipment.

5 The director may remove one (1) or more inmates from a
6 program if necessary to comply with this subdivision.

7 (5) Remove an inmate from a specialized vocational program
8 at any time due to:

9 (A) misconduct;

10 (B) security issues;

11 (C) safety issues;

12 (D) health concerns; or

13 (E) lack of meaningful participation in the program.

14 (6) Carry out other duties concerning the specialized
15 vocational program as directed by the superintendent.

16 Sec. 4. (a) An inmate who wishes to participate in a specialized
17 vocational program must submit a written application to the
18 director. The application must be on a form prescribed by the
19 department.

20 (b) The director shall review each application and, not more
21 than thirty (30) days after receipt of the application, issue a written
22 decision to the inmate.

23 (c) The director shall determine eligibility in accordance with
24 this chapter. In addition, the director may consider any other
25 relevant information contained in the inmate's written application
26 that may have a bearing on the inmate's ability to successfully
27 complete the specialized vocational program, including the
28 inmate's demonstrated interest in the program.



COMMITTEE REPORT

Madam President: The Senate Committee on Corrections and Criminal Law, to which was referred Senate Bill No. 173, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 1, line 5, delete "shall adopt" and insert "**may provide**".

Page 1, line 6, delete "rules under IC 4-22-2 to establish".

Page 1, line 13, delete "and".

Page 1, line 14, delete "conditioning." and insert "**conditioning; and**

(5) construction.".

Page 2, line 2, delete "shall adopt rules under IC 4-22-2 to" and insert "**may require the following**".

Page 2, line 3, delete "establish".

Page 2, line 4, delete "program." and insert "**program:**

(1) An inmate with less than twenty-four (24) months until the inmate's expected release date may be given preference for participation in the specialized vocational program.

(2) An inmate who has been disciplined for misconduct within the previous year is not eligible for participation in the specialized vocational program.

(3) An inmate who presents a security risk is not eligible for participation in the specialized vocational program.

(4) An inmate who is under the care of a physician is eligible for participation in the specialized vocational program if the physician determines that the inmate can meaningfully and safely participate in the program.

(b) The department may require an inmate to have successfully completed or be currently enrolled in other programs provided by the department, including:

(1) a drug addiction and alcoholism treatment program;

(2) an employment skills and vocational program;

(3) a personal responsibility program;

(4) a peer support program;

(5) a motivation program;

(6) a parenting program; and

(7) a program in preparation for a state of Indiana general educational development (GED) diploma."

Page 2, delete lines 5 through 33.

Page 2, line 34, delete "shall" and insert "**may**".

Page 2, line 34, delete "serve as" and insert "**direct**".



Page 2, line 35, delete "director of".
 Page 2, line 36, delete "separate" and insert "**facility manager to direct the program.**".
 Page 2, delete line 37.
 Page 3, delete lines 34 through 42.
 Delete page 4.

and when so amended that said bill do pass.

(Reference is to SB 173 as introduced.)

YOUNG R MICHAEL, Chairperson

Committee Vote: Yeas 9, Nays 1.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Courts and Criminal Code, to which was referred Senate Bill 173, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, line 5, delete "Before January 1, 2016, the" and insert "**The**".

Page 1, line 9, after "include" insert "**, but is not limited to,**".

Page 1, line 13, after "conditioning;" delete "and".

Page 1, line 14, delete "." and insert"; **and**

(6) diesel technology.".

Page 2, line 25, delete "general" and insert "**high school equivalency**".

Page 2, line 26, delete "educational development (GED)".

and when so amended that said bill do pass.

(Reference is to SB 173 as printed January 15, 2015.)

WASHBURN

Committee Vote: yeas 8, nays 0.

